

# EXHIBIT B

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

RAQUEL ZAIAT, as Mother and Natural  
Guardian of MINOR, D.Z.,<sup>1</sup>

Plaintiff,

-against-

ELVE LABORDE, M.D., GOOD  
SAMARITAN HOSPITAL, and BON  
SECOURS HEALTH SYSTEM, INC.,

Defendants.

**CERTIFICATION**

Case No. 24 CV \_\_\_\_\_

I, Damian Williams, the United States Attorney for the Southern District of New York, pursuant to the provisions of 42 U.S.C. § 233 and 28 U.S.C. § 2679(d), and by virtue of the authority vested in me by the Attorney General under 28 C.F.R. § 15.4, hereby certify, on the basis of the complaint filed in the above-captioned action and the information now available with respect to the claims alleged, the following with respect to defendant Elve Laborde (“Laborde”):

(i) that Laborde was deemed to be an employee of the United States Public Health Service pursuant to the Public Health Service Act, as amended by the Federally Supported Health

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<sup>1</sup> The full name of minor D.Z. has been withheld pursuant to Rule 5.2 of the Federal Rules of Civil Procedure.

Centers Assistance Act of 1995, 42 U.S.C. § 233(g)-(n), during the period relevant to the alleged medical care at issue, *i.e.*, calendar year 2021; and (ii) Laborde was acting within the scope of her employment for purposes of the claims asserted against her in connection with the medical care at issue.

Accordingly, pursuant to 42 U.S.C. § 233(g), Laborde is deemed to be an employee of the United States Public Health Service under the Federal Tort Claims Act, 28 U.S.C. §§ 1346(b), 2671-2680, for the medical care provided that is at issue in this lawsuit.

Dated: New York, New York  
September 5, 2024

A handwritten signature in blue ink, appearing to be 'D. Williams', written over a horizontal line.

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York